

MODIFICATION MOTION CHECKLIST – MILWAUKEE COUNTY

(Notice of Motion & Motion to Change)

FILING FEES (\$0, with an approved fee waiver)

- **\$30 - for child support/maintenance motions, OR**
- **\$50 - for custody/placement motions, OR**
- **\$50 - for combined support and custody/placement motion**

SERVICE FEES (\$0, with an approved fee waiver)

- **\$60 - for personal service by the Milwaukee Sheriff, OR**
- **\$25 – for Child Support Services to serve *if they have other party's address***

FORMS & COPIES NEEDED

- Notice of Motion & Motion to Change (*6 copies*)
- Petition for Waiver of Fees (if applicable)

HOW TO REQUEST A FEE WAIVER

1. Fill out the Petition for Waiver of Fees.
 - Sign in front of a notary public (available in Room 104).
 - Bring proof of a month's worth of income or public benefits.
2. **Room G-9–Legal Resource Center** – will assist in printing proof of FoodShare (Quest card does not qualify as proof).
3. **Room 609–Chief Judge's Office** will approve or deny the Fee Waiver.

HOW TO FILE THE MOTION, SCHEDULE A COURT DATE, & SERVE PAPERS (required)

1. **Room 104 – Clerk of Courts Office**
 - File documents with cashier
 - Pay filing fee or present approved fee waiver
2. **Room 707 – Family Court Commissioner**
 - Take the original motion and the copies here to get a court date.
3. **Room 101 – Child Support Services (if child support is involved in case)**
 - Drop off a copy to child support
 - The Child Support office is willing to serve a set of the papers to the other party if they have a known address on file. This is always recommended along with personal service.
4. **The other party must be served with the papers at least 5 business days before the hearing.**
 - Room 102, Safety Building–Sheriff's Department: if the other party lives in Milwaukee County, or, private process server
 - If the other party does not live in Milwaukee County, contact the Sheriff's Department in that county or a private process server to arrange service
 - You may also send the motion through Certified Mail, Return Receipt Requested and complete and Affidavit of Mailing.

ATTENDING YOUR COURT DATE (arrive early, dress nicely, act respectfully)

- **Bring proof that the documents have been served to the other party.**
- You should also bring proof to support your case
 - Pay stubs/ Proof of income
 - Proof child is residing with you (school & medical records, lease agreement, etc)
 - Any other information related to your motion



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